

REMARKS

Applicant respectfully requests reconsideration of the present application based on the foregoing amendments and the following remarks. By this Amendment, the specification has been editorially amended, claims 34, 38 and 40 have been amended, and new claims 41-47 have been added. Claims 34-47 will be pending in the application upon entry of this Amendment.

Remarks Concerning Interview

Applicant appreciates the courtesies extended by the Examiner to its representative, Mr. Mark Danielson, during a telephonic interview on July 21 and 28, 2005. During the interview, the reference Kennedy was discussed, particularly in connection with the limitations of independent claim 1. Although no agreement was reached during the Interview, Applicant's representative indicated that claim amendments would be made along the lines discussed, and such amendments are included in this response.

Editorial Amendments to the Specification and Claims

The specification has been amended to correct a typographical error noted in the specification and claims. The full text of the acronym PSAP should be --Public Safety Answering Point-- rather than "Public Service Answering Point." No new matter has been added.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 34-36 and 38-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,535,743 to Kennedy ("Kennedy") and claims 37 and 40 stand rejected over Kennedy in view of InfoGation.. For reasons set forth more fully below, these rejections are respectfully traversed.

Independent claim 34, which is rejected together with all claims 35-40 that depend ultimately therefrom, has been amended in a manner which is believed to define the invention even more clearly over Kennedy.

In particular, claim 34 has been amended to clarify the use of the emergency contact information in the event of an emergency associated with a customer vehicle. Specifically, the

claim now requires an additional step of using the emergency contact information that has been retrieved and transmitted to contact a person designated by the customer and to apprise that contact person about the emergency.

This subject matter is not disclosed or suggested in the cited prior art. Indeed, the Office Action concedes that Kennedy does not even disclose that emergency contact information is retrieved by a telematics device during an emergency. Rather, the Office Action takes the position that this undisclosed step would be obvious.

This position has been rendered moot by the further inclusion of a completely new step in claim 34 as set forth above. The invention now more clearly defines over Kennedy because it represents a completely new and important functionality that cures many deficiencies in the prior art.

For example, Kennedy requires an infrastructure wherein, in response to an "emergency situation" an emergency service message 58 must be somehow routed to a central NSC 14. The NSC 14 then determines an appropriate service center 16 to handle the emergency. The NSC 14 then verbally and through data communication channels relays information to that appropriate service center 16, which presumably must include time-consuming manual steps and intervention. The appropriate service center 16 may then provide emergency assistance, presumably including manually contacting rescue, fire or other services.

Kennedy fails to disclose or suggest a means or step of permitting a designated emergency contact person to be apprised of the emergency in a time-effective and reliable manner. This can have dramatic, life-threatening and emotionally devastating consequences. For example, the prior art techniques exemplified by Kennedy make contacting designated persons, such as relatives, during an emergency difficult and time-consuming, even if rescue personnel are quickly notified. The process can take several hours, or may be impossible if the designated person has an unlisted phone number.

The present invention solves these problems, among others. For example, the telematics device itself retrieves the emergency contact information so that it is local to the vehicle, the emergency, and the involved customer. That information is then relayed directly to the Public Safety Answering Point, enabling local authorities to quickly identify the appropriate person to contact, who has been designated by the customer to be apprised of an emergency situation.

Accordingly, the subject matter set forth in independent claim 34 is neither trivial nor obvious, and renders claim 34 patentably distinct over the prior art including Kennedy and InfoGation. For at least these reasons, the rejection of claim 34, along with claims 35-40 that depend therefrom, should be withdrawn.

Newly Added Claims

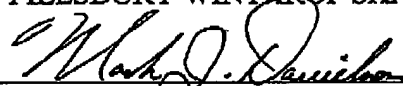
Claims 41-47 have been added to more fully define aspects of the invention as set forth in the original disclosure. These claims depend from independent claim 34 and are patentable for at least the reasons presented above.

Conclusion

All objections and rejections having been addressed, and in view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, s/he is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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